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Docket No. 65340/JPW/GJG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jason Francis Conaty, Philip Hendry and  
Trevor John Lockett

Serial No. : 09/887,880 (Continuation Application of  
PCT/AU99/01162, filed 24 December 1999)

Filed : June 22, 2001

For : MINIRIBOZYMES ACTIVE AT LOW MAGNESIUM ION  
CONCENTRATIONS

1185 Avenue of the Americas  
New York, New York 10036  
November 13, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

ATTN: Box Missing Parts

Sir:

**COMMUNICATION IN RESPONSE TO SEPTEMBER 10, 2001 NOTICE  
TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED**

This Communication is submitted in response to a September 10, 2001 Notice to File Missing Parts of Application - Filing Date Granted issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the September 10, 2001 Notice is due November 10, 2001. However, since November 10, 2001 falls on a Saturday, the next succeeding day which is not a Saturday, Sunday or Federal holiday, i.e. Tuesday, November 13, 2001, is considered timely under 37 C.F.R. §1.7. Accordingly, this Communication is being timely filed.

The Notice to File Missing Parts of Application indicates that the oath or declaration is unsigned. Applicants attach hereto a copy of the Notice as **Exhibit A**. In response, applicants submit as **Exhibit B** hereto a signed Declaration and Power of Attorney

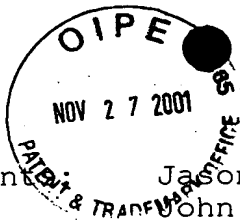
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pursuant to 37 C.F.R. \$1.53(f). In compliance with 37 C.F.R. \$1.63, the Declaration refers to the application's above-identified serial number and filing date.

The surcharge under 37 C.F.R. \$1.16(e) for responding to the Notice to File Missing Parts of Application is ONE HUNDRED THIRTY DOLLARS (\$130.00) for a non-small entity. A check for a total amount of \$130.00 is enclosed to cover the surcharge for filing the enclosed Declaration and Power of Attorney.

Furthermore, in compliance with the September 10, 2001 Notice, applicants respectfully comply with the Examiner's Notice and submit a Sequence Listing attached hereto as **Exhibit C** in ~~compliance with the requirements of \$1.821-1.825.~~ In addition, applicants submit herewith the Sequence Listing on the enclosed computer diskette. Moreover, applicants submit as **Exhibit D** a Statement In Accordance With 37 C.F.R. \$1.821(f) certifying that the computer readable form and paper copy are the same.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorneys invite the Examiner to telephone the number provided below.



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No fee, other than the enclosed \$130.00 surcharge fee, is deemed necessary in connection with the filing of this Communication. If any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

John P. White  
Registration No. 28,678  
Attorney for Applicant  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence  
is being deposited this date with the U.S.  
Postal Service with sufficient postage as  
first class mail in an envelope addressed  
to: Assistant Commissioner for Patents  
Washington, D.C. 20231

John P. White  
Reg. No. 28,678

11/13/01  
Date